

Minneapolis City Planning Department Report

Variance Request
BZZ-1071

Date: April 9, 2003

Applicant: Thomas Clausen and Christina Ulrich

Address of Property: 138 Orlin Avenue Southeast

Date Application Deemed Complete: March 11, 2003

End of 60 Day Decision Period: May 10, 2003

Contact Person and Phone: Thomas Clausen and Christina Ulrich, (612) 617-9392

Planning Staff and Phone: Hilary Watson, (612) 673-2639

Ward: 2 Neighborhood Organization: Prospect Park East River Road Improvement Association

Existing Zoning: R4

Proposed Use: Two-story addition with an attached garage.

Proposed Variance: A variance to reduce the front yard setback along Emerald Street Southeast from the required 15 feet to 5 feet to allow for the construction of an addition and an attached garage to an existing single-family dwelling located on a reverse corner lot.

Zoning code section authorizing the requested variance: 525.520 (1)

Concurrent Review: None

Background: The applicants are proposing to demolish the existing single-car garage and the existing back porch and replace it with a two-story addition with an attached garage. The addition does not meet the required front yard setback along Emerald Street Southeast.

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Findings Required by the Minneapolis Zoning Code:

1. **The property cannot be put to a reasonable use under the conditions allowed by the official controls and strict adherence to the regulations of this zoning ordinance would cause undue hardship.**

Front yard setback along Emerald Street Southeast: The applicants are seeking a variance to reduce the front yard setback along Emerald Street Southeast from the required 15 feet to 5 feet to allow for the construction of an addition and an attached garage to an existing single-family dwelling located on a reverse corner lot. The applicants have indicated that because the property is a reverse corner lot that the property is subject to two front yard setback requirements. In addition, the applicants have indicated that the property is only 45 feet wide and 85 feet long.

2. **The circumstances are unique to the parcel of land for which the variance is sought and have not been created by any persons presently having an interest in the property. Economic considerations alone shall not constitute an undue hardship if reasonable use for the property exists under the terms of the ordinance.**

Front yard setback along Emerald Street Southeast: This parcel of land is unique in the fact that it is a reverse corner lot with two front yard setback requirements and that the property only measures 45 feet by 85 feet.

3. **The granting of the variance will be in keeping with the spirit and intent of the ordinance and will not alter the essential character of the locality or be injurious to the use or enjoyment of other property in the vicinity.**

Front yard setback along Emerald Street Southeast: Staff does not believe that the proposed two-story addition with an attached garage would alter the essential character of the surrounding neighborhood. The proposed addition would be located further from the property line along Emerald Street Southeast and from the adjacent property to the south than the existing detached garage. The existing garage is setback only two feet from Emerald Street Southeast and only two feet from the adjacent property to the south. The proposed addition will be located five feet from the property line along Emerald Street Southeast and five feet from the adjacent property to the south.

4. **The proposed variance will not substantially increase the congestion of the public streets, or increase the danger of fire, or be detrimental to the public welfare or endanger the public safety.**

Front yard setback along Emerald Street Southeast: Granting the variance would likely have no impact on congestion of area streets or fire safety, nor would the reduced setback be detrimental to welfare or public safety.

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Recommendation of the City Planning Department:

The City Planning Department recommends that the Board of Adjustment adopt the findings above and **approve** the variance to reduce the front yard setback along Emerald Street Southeast from the required 15 feet to 5 feet to allow for the construction of an addition and an attached garage to an existing single-family dwelling located on a reverse corner lot subject to the following conditions:

1. The Planning Department shall review and approve the final site and elevation plans.
2. The driveway shall be no wider than 25 feet.
3. No vehicles shall be parked in the driveway so as to obstruct pedestrian traffic on the public sidewalk.
4. The applicant shall contact the Minneapolis Park Board prior to any construction taking place in the right-of-way.
5. The applicant shall contact the Minneapolis Sidewalk Department prior to any construction taking place in the right-of-way.